

8. The television system of claim 6, additionally comprising means for storing EPG data including at least one stored background color value.

9. The television system of claim 8, additionally comprising means for using the stored background color value to display the EPG alone.

10. The television system of claim 8, additionally comprising means for substituting a transparent value for the stored background color value to display the composite.

#### REMARKS

The International Preliminary Examination Report, dated March 27, 2001, stated that claim 1 lacks novelty under PCT Article 33(2) as being anticipated by Lawler (U.S. 5,585,838), and Rowe (U.S. 5,623,613). Also, Claims 1-10 lacked novelty under PCT Article 33(2) as being anticipated by Alten (U.S. 5,635,978). Knee (U.S. 5,589,892) was also cited by the Examiner. All of the above mentioned references are enclosed in a 1449 Information Disclosure Form accompanying this Preliminary Amendment. In view of the foregoing amendments to the claims, Applicants submit that all of the pending claims in the application are patentable over the references of record, and reconsideration and allowance of this application are respectfully requested.

The claimed invention and, in particular, claim 1, relates to a system which simultaneously displays a currently broadcast television program simultaneously with an informational message and an advertising message related to the television program. None of the references cited by the Examiner, Lawler, Rowe, knee, or Alten, disclose such a system.

With respect to Alten, the Examiner cites to FIG. 7a. However, contrary to the claimed invention, FIG. 7a depicts a guide screen that includes a video promotion window and an associated text window where the video window may display a movie clip for an upcoming pay-for-view movie while the text window may contain schedule, price, and ordering information for the movie. See, e.g., Alten, col. 9, lines 53-67. Therefore, FIG. 7a does not include any display of the television picture from a currently broadcast television signal. With respect to Claim 2, the Examiner states that the claimed pop-up areas are inherent in FIG. 7a of Alten. Applicant respectfully disagrees to the extent that the display in FIG. 7a is a completely different screen than screens such as those disclosed in FIG. 5a and 5b, and thus the video promo window and promo text windows do not pop up in the screens of FIG. 5a, et al., but are rather separate display screens.

With respect to Knee, FIGs. 6-10 and 15-28, cited by the Examiner do not include any display of the television picture from a currently broadcast television signal. FIGs. 11-14, cited by the Examiner may include a display of the television picture from a currently broadcast television signal. However, there is no simultaneous display of an advertising message related to the displayed television picture, an informational message related to the displayed television picture, and the television picture in these FIGs.

Similarly, Rowe and Lawler disclose an electronic program guide that includes a preview window that can display one of a scaled version of the on-going program, a video clip or still image of the program or the logo for the channel on which the program is available. See, e.g., Lawler, col. 10, lines 42-49. Only one of these types of information can be displayed at a time. Therefore, neither Rowe, nor Lawler, disclose the display of an advertising message simultaneously with the preview window.

Thus, the above-mentioned independent claim 1 and dependent claims 2-10 are patentable over the prior art of record. In view of

**Application No. 09/555,551**

the foregoing remarks and amendments, it is submitted that this application is in condition for allowance, and accordingly, reconsideration and allowance of this application are respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

Raymond R. Tabandeh  
Reg. No. 43,945  
626/795-9900

RRT/dah

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend claims 1 and 5 as follows.

1. (Amended) A television system comprising:
  - a receiver for recovering a television signal being currently broadcast;
  - a display monitor for displaying the recovered television signal;
  - means for displaying on the monitor a television picture from the recovered television signal;
  - means for displaying an advertising message related to the displayed television picture; and
  - means for displaying an informational message related to the displayed television picture, wherein the television picture is simultaneously displayed with both ~~an~~ the informational message and ~~an~~ the advertising message.

5. (Amended) The television system of claim 2, in which the informational messages relate to current programming on the channel of the recovered television signal.

DAH PAS377336.1--8/31/01 2:49 PM